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10/090,179

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EXAMINER

MURPHY, RHONDA L

ART UNIT

PAPER NUMBER

2616

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
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3 MONTHS

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/090,179

Applicant(s)

LINDSEY ET AL.

Examiner

Rhonda Murphy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This communication is responsive to the Request for Continuation filed on 10/25/06. Accordingly, claims 1–14 are currently pending in this application.

Response to Arguments

1. Applicant's arguments with respect to claims 1, 7, 11 and 14 have been considered but are moot in view of the new ground(s) of rejection.
2. Examiner respectfully disagrees with the applicant's assertion that specification paragraphs 17 and 19 provide support for the amended limitation "unmodulated". The passages describe audio signals transmitted and received from an audio device, and distribution of compact disc quality audio over a digital media bus. The specification lacks support for the amended limitation since there is no clear description of unmodulated signals.

Claim Objections

1. Claims 1, 7, 11 and 14 are objected to because of the following informalities:
2. In claim 1, lines 2 and 9; claim 7, lines 6 and 13; claim 11, line 4; and claim 14, line 4, use of the term "configured for" makes the limitation following the term optional and does not require the steps to be performed. Refer to MPEP 2106. C and 2111.04. Applicant may overcome this objection by issuing a statement that the limitations following the term "configured for" are positive limitations.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims ~~1, 7, 11 and 14~~¹⁻¹⁴ are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 1, 7, 11 and 14 have been amended to include the negative limitation "unmodulated". There is no support from the specification for this limitation and is thus, considered new matter.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

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not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1 – 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gibb et al. (US 4,293,740) in view of Heep et al. (US 4,996,709).

Regarding claim 1, Gibb teaches a media network station (all elements of Fig. 1) comprising: a media transceiver (telephone station 10a) configured for sending and receiving unmodulated media signals (col. 3, lines 33-37) over a media bus (lines 16); a data transceiver (hook state and dialing detector circuit 20) for sending and receiving control signals (col. 3, lines 40-42) over a control bus (lines connected to hook state and dialing detector circuit 20); and a processor (signaling switch network 18) in communication with said media transceiver and said data transceiver (see Fig. 1).

Gibb fails to explicitly disclose arbitrating transmission and reception of said media signals based on said control signals.

However, Heep discloses a processor (Fig. 2, microprocessor 44) in communication with said media transceiver and said data transceiver (see Fig. 2) for arbitrating transmission and reception of said media signals based on said control signals (col. 5, lines 62-68; col. 6, lines 1-7).

In view of this, it would have been obvious to one skilled in the art to include arbitration for transmitted and received signals, for the purpose of avoiding signal interference.

Gibb fails to explicitly disclose preventing media signal collisions from occurring on said media bus.

However, Heep discloses preventing media signal collisions from occurring on said media bus (col. 6, lines 3-7).

In view of this, it would have been obvious to one skilled in the art to modify Gibb's system by preventing collisions from occurring, in order to avoid signal interference between the transceivers.

Gibb fails to explicitly disclose configuring the media network station (Fig. 1) for wall mounting. However, Examiner takes official notice that it is well known in the art for telephone intercoms to be mounted on a wall.

Therefore, it would have been obvious to one skilled in the art to mount the intercom on a wall, in order to optimize space and enable ease of use of the intercom.

Regarding claim 2, Gibb teaches a media network station including a media transceiver and media bus. However, Gibb fails to explicitly disclose a switchable media bus termination network between said media transceiver and said media bus for balancing transmissions on said media bus.

Heep teaches a switchable media bus termination network (Fig. 2, switch 24) between said media transceiver and said media bus for balancing transmissions on said media bus (col. 5, lines 36-34 and 51-61).

In view of this, it would have been obvious to one skilled in the art to include a switchable media bus, in order to switch media signals and thus, prevent interference.

Regarding claim 3, Gibb teaches a media network station including a data transceiver and control bus. However, Gibb fails to explicitly disclose a switchable control bus termination network between said data transceiver and said control bus for balancing transmissions over said control bus.

Heep teaches a switchable control bus termination network (Fig. 2, switch 40) between said data transceiver and said control bus for balancing transmissions over said control bus (col. 4, lines 15-18).

In view of this, it would have been obvious to one skilled in the art to include a switchable control bus, in order to switch control signals and thus, prevent interference.

Regarding claim 4, Gibb teaches the media network station further comprising a media output connection (connection at speaker 12) in communication with said media transceiver for interconnecting received media signals with an external media device (speaker 12).

Regarding claim 5, Gibb teaches the media network station further comprising a media input connection (connection at microphone within telephone station 10a; not illustrated, but inherent in telephones) in communication with said media transceiver for interconnecting an external medial device with said media transceiver for media signal transmission over said media bus (microphone within telephone station 10a).

Regarding claims 6 and 8, Gibb teaches the media network station including a processor, but fails to explicitly disclose a memory device in communication with said processor for storing computer instructions executable by said processor, said computer

instructions implementing a method of switching arbitration to prevent media signal collisions from occurring on said media bus.

However, Heep teaches a memory device (located within microprocessor 44) in communication with said processor for storing computer instructions executable by said processor (col. 4, lines 7-12), said computer instructions implementing a method of switching arbitration to prevent media signal collisions from occurring on said media bus (col. 6, lines 3-8).

In view of this, it would have been obvious to one skilled in the art to modify Gibb's system by including memory in communication with a processor for storing instructions and preventing collisions from occurring, in order to execute instructions and avoid signal interference between the transceivers.

Regarding claim 7, Gibb teaches the same limitations described above in the rejection of claim 1. Gibb fails to explicitly disclose a plurality of media network stations connected to said media bus and said control bus.

However, Heep teaches a plurality of media network stations connected to said media bus and said control bus (col. 5, lines 48-50).

In view of this, it would have been obvious to one skilled in the art to include multiple stations connected to the media bus and control bus, in order to enable communication between two stations via the same bus.

Regarding claim 9, Gibb teaches said media bus comprising a signal transmission technology selected from the group consisting of electrical, infra-red, ultrasonic, radio

frequency and fiber optic technologies (Fig. 1, electrical signal transmission technology via telephone lines).

Regarding claim 10, Gibb teaches a media bus, but fails to explicitly disclose said media bus comprising a plurality of media buses.

However, Heep teaches said media bus comprising a plurality of media buses (col. 3, lines 9-13).

In view of this, it would have been obvious to one skilled in the art to include multiple media buses, in order to allow multiple conversations to occur.

Regarding claim 11, Gibb teaches the same limitations described above in the rejection of claim 7. Gibb further teaches creating a control packet (col.3, lines 40-42). Gibb fails to explicitly disclose a plurality of digital media network stations and sending said control packet on the bus to all other stations for parsing, and broadcasting a command.

However, Heep teaches providing a digital media network (Fig. 2) system having a plurality of digital media network stations (col. 3, lines 9-11; col. 5, lines 48-49), one of said plurality of digital media network stations creating a control packet (col. 3, lines 41-42; further described in col. 6, lines 9-13; microprocessor sends control packet); said one digital media network station sending said control packet on said control bus to all other digital media network stations (col. 6, lines 9-13); said all other digital media network stations parsing said control packet (col. 6, lines 13-19); and if said control packet comprises a system-wide broadcast command and there is no transmission on said media bus, executing said system-wide broadcast command (col. 6, lines 20-35).

In view of this, it would have been obvious to one skilled in the art to parse and include a broadcasting command, in order to analyze the packet and broadcast the packet through the system.

Regarding claim 12, Gibb teaches a control packet, but fails to explicitly disclose executing a handshake and said media network station-specific command or else timing out.

However, Heep teaches if said control packet comprises a media network station-specific command, and there is no transmission on said media bus, executing a handshake and said media network station-specific command or else timing out (col. 6, lines 20-35, 49-51).

In view of this, it would have been obvious to one skilled in the art to execute a handshake or timing out, in order to make a connection with another station, or else discontinue the connection attempt.

Regarding claim 13, the combined method of Gibb and Heep teach media network stations, but Gibb fails to explicitly disclose validating a response to ensure correct processing of said media network station-specific command.

However, Heep teaches executing a handshake further comprises validating a response to ensure correct processing of said media network station-specific command (col. 20-35).

In view of this, it would have been obvious to one skilled in the art to validate a response, for the purpose of ensuring the command has been processed.

Regarding claim 14, Gibb teaches the same limitations described above in the rejection of claim 1. Gibb teaches a media network station, and monitoring said control bus (col. 3, lines 40-49) but fails to explicitly disclose one of at least three media network stations transmitting to the other stations and the stations interconnected by a media and control bus.

However, Heep teaches a media network system including at least three media network stations interconnected by a media bus and a control bus (Fig. 3; col. 5, lines 48-50); one of said at least three media network stations monitoring said control bus (col. 5, lines 62-68; col. 6, lines 1-3; at least one microprocessor of the intercom monitoring the control bus); and said one of said at least three media network stations transmitting media signals to all other of said at least three media network stations if said media bus is not being used (col. 6, lines 55-62).

In view of this, it would have been obvious to one skilled in the art to include the stations interconnected by a media and control bus in order to enable communication between two stations via the same bus.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rhonda Murphy whose telephone number is (571) 272-3185. The examiner can normally be reached on Monday - Friday 8:00 - 4:30pm.

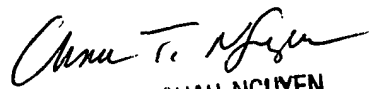
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Rhonda Murphy
Examiner
Art Unit 2616

RM


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